

GOVERNMENT OF ANDHR PRADESH
ABSTRACT

Fraudulent drawal of Scholarship Amount by Sri R. Mothya Naik and others of Social Welfare & other Departments – Conviction by the Spl. Court in the C.C. No.1/2003 in C.R. No.134/2002 & C.C.No.2/2003 in Crime No.585/2002, C.C.No.3/2003 in Crime No.496/2002 – Recover the amount misappropriated in Social Welfare Department – Orders – Issued.

=====

SOCIAL WELFARE (SER.III.2) DEPARTMENT

G.O.Ms.No.9.

Dated. 16-01-2010.

Read the following:-

1. Proceedings of the District Collector, Hyderabad, No.A1 / 2107 / 99, dated 07-10-2002.
2. Proceedings of the Dy. Director (SW), Hyderabad, No. A2 / 1550 / 2002, dated 07-10-2002.
3. Proceedings of the Commissioner of Social Welfare, AP., Hyderabad, No. A1 / 6789 / 2002, dated 07-10-2002.
4. G.O. Ms. No. 12, S.W. (Ser.II) Department, dated 15-2-2002.
5. G.O.Ms.No.24, Law (LA & J. Home Courts) Deptt., dated 17-02-2003.
6. G.O.Ms.No.31, Social Welfare (Ser. II) Deptt., dated 29-05-2003.
7. Judgment delivered by Spl. Judge in C.C.No.1/2003, C.C.No.2/2003 & C.C.No.3/2003, dated. 11-06-2007.

* * * *

ORDER:

It has been brought to the notice of the Govt., by the Commissioner of Social Welfare, Hyd., based on a preliminary inquiry conducted by him on a pseudonymous Petition regarding Fraudulent Drawal of Scholarship amount and requested the Government to get the matter inquired in detail.

2. The Vigilance & Enforcement Department have also conducted an inquiry and found that in addition to DVR College, there are (7) other Colleges all of which are bogus and fictitious in whose names these scholarships were being drawn.

3. The Dy. Commissioner of Police, Detective Department, in his report dated.01.07.2002 informed that the case has been registered and is under investigation. During investigation, it has been found that the accused Sri R. Mothiya Naik, H.W.O., Social Welfare Deptt., has conspired with other accused in this case to swindle Post Metric Scholarship amounts by presenting bogus bills in the name of Principals of bogus colleges and purchased number of immovable properties with the ill-gotten money.

4. In exercise of powers of the powers conferred under Rule 25 (i) and Rule 26 of APCS (CC&A) Rules, 1991, the disciplinary authorities concerned have issued orders dismissing S/sri (1) R. MothyaNaik, Warden, (2)D. Shankar Rao, Senior Assistant, O/o DD (SW), Hyderabad, (3) U. Santosh Kumar, DSWO., Hyderabad and (4) Smt.M. Shambhavi, DD (SW) Hyderabad from service, vide references 1-4 read above.

5. Government issued orders in G.O. 5th read above, for establishment of the Court of Spl. Judge at Hyderabad for speedy Trial and disposal of the cases on fraudulent drawal and misappropriation of scholarships amount in Social Welfare, Tribal Welfare & B.C. Welfare Departments.

6. In G.O. 6th read above, Government have accorded sanction for prosecution of Sri R. Mothya Naik, Sri D. Shankar Rao, Sri U. Santosh Kumar & Smt. M. Shambhavi punishable under section 420, 419, 467, 468, 471, 409, 109 and 120-B Indian Penal Code and other cognizable offences punishable under any other provision of Law and under section 197 (4) of the CRPC, in a Court of competent jurisdiction.

p.t.o.

7. The Court of The Special Judge under the prevention of corruption act for speedy Trail of cases of Embezzlement of Scholarship amounts in Social Welfare Department etc., in his Judgement in C.C. No.1/2003, C.C.No.2/2003 & C.C.No.3/2003 on 11.06.2007 held the accused Sri R. Mothya Naik (A.1) and others guilty of offences under section 120-B Indian Penal Code r/w Sec 409, 419, 420, 467, 468, 471 IPC and sentenced them to undergo rigorous imprisonment and also with fine.

8. The Government in Finance Department vide G.O. Rt. No. 1546, dt. 29-6-2002, have appointed M/s Narasimhamurthy and Co., Chartered Accountant to Audit the fraudulent drawal of Scholarship amount. As per the report of the Chartered Accountant an amount of Rs. 42,57,98,590/- has been assessed to be the amount involved in the scam for the period 1997-98 to 2001-02 of which the amount relating to the SC Welfare is Rs. 29,60,85,918/-, ST Welfare is Rs. 3,80,39,431/- and amount relating to B.C.Welfare is Rs.9,16,73,241/-.

9. Government after careful examination hereby direct the Commissioner of Social Welfare, Hyd., to recover the misappropriated amount pertaining to Social Welfare Department from the convicted in the light of the Judgement of the Spl.Judge delivered on 11.06.2007 in C.C. No.1/2003, C.C.No.2/2003 & C.C.No.3/2003 and furnish the compliance to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Social Welfare,
A.P. Hyderabad.
Copy to:-
The Deputy Commissioner of Police,
Detective Department, C.C.S., Hyderabad.
The B.C. Welfare Department,
(With a similar request)

//FORWARDED::BY ORDER//

SECTION OFFICER